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INTELLECTUAL PROPERTY LAW

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JOHN M. WEYRAUCH
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August 16, 2004

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: U.S. Patent Application of Thomas E. Eull
Appln. No. : 10/800,979
Filed : March 15, 2004
Title : BOOSTER AXLE PIVOT MOUNT
Our File : S51.12-0050

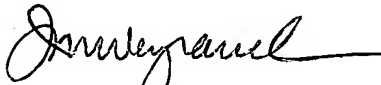
Dear Sir:

Enclosed for filing are the following papers in connection with the above-identified patent application:

1. Power of Attorney; and
2. Submission Under 37 C.F.R. 3.73(b) with photocopy of Assignment attached.

Respectfully submitted,

KINNEY & LANGE, P.A.


John M. Weyrauch

JMW:imv
Enc.



POWER OF ATTORNEY

Attorney Docket No.

S51.12-0050

First Named Inventor : Thomas E. Eull

Title : BOOSTER AXLE PIVOT MOUNT

In the patent application:

☐ identified above (and submitted to the Patent and Trademark Office herewith).

☒ filed on March 15, 2004 as Application No. 10/800,979.

I appoint the attorneys and agents associated with Customer Number 00164 to prosecute the patent application identified above and to transact all business in the Patent and Trademark Office connected therewith, including full power of association, substitution and revocation.

I ratify all prior actions taken by Kinney & Lange, P.A. or the attorneys and agents mentioned above in connection with the prosecution of the above-mentioned patent application.

I authorize Kinney & Lange, P.A. to mark the appropriate space above and to insert the filing date and application number of the application, as appropriate.

I authorize the attorneys and agents named herein to accept and follow instructions from John M. Weyrauch as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the attorneys and agents and the undersigned. In the event of a change in the persons from whom instructions may be taken, the attorneys and agents named herein will be so notified by the undersigned.

Please address all correspondence and telephone calls to Customer Number 00164, attention John M. Weyrauch, Telephone (612) 339-1863, Fax (612) 339-6580.

Schwing America, Inc.

Signature:

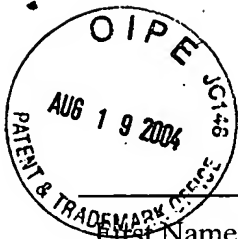
Thomas M. Anderson

Dated:

8-10-04

Title:

President



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named

Inventor : Thomas E. Eull
Appln. No. : 10/800,979
Filed : March 15, 2004
Title : BOOSTER AXLE PIVOT MOUNT
Docket No. : S51.12-0050

Group Art Unit:
Examiner:

SUBMISSION UNDER 37 C.F.R. 3.73(b)

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Schwing America, Inc., a Minnesota corporation, is an owner of the patent application identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel __, Frame __, or a copy of which is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Signature:

Thomas M. Anderson

Date:

8-10-04

Title:

President

ASSIGNMENT

Attorney Docket No.

S51.12-0050

First Named Inventor : Thomas E. Eull

Title : Booster Axle Pivot Mount

WHEREAS, I, Thomas E. Eull, of 12451 Radisson Road N.E., Blaine, Minnesota 55449, U.S.A., have invented certain new and useful improvements as described in an application entitled BOOSTER AXLE PIVOT MOUNT for Letters Patent of the United States, the application having been executed on even date herewith, and/or being identifiable in the United States Patent and Trademark Office by Application No. _____, filed _____; and

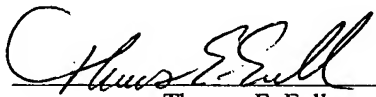
WHEREAS, Schwing America, Inc., a corporation organized and existing under the laws of the State of Minnesota, and having offices at 5900 Centerville Road, White Bear Lake, Minnesota 55127, ("Assignee") is desirous of acquiring the entire right, title and interest in and to the invention, the application, and any and all Letters Patent or similar legal protection, foreign or domestic, to be obtained therefor;

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, I transfer to Assignee, its successors and assigns, my entire right, title and interest in and to the invention, the above-identified application, corresponding domestic and foreign applications, all Letters Patent or similar legal protection issuing thereon, and all rights and benefits under any applicable treaty or convention; and I authorize the Commissioner of Patents and Trademarks of the United States or foreign equivalent thereof to issue the Letters Patent or similar legal protection to the Assignee.

I authorize the Assignee, its successors and assigns, to insert in this instrument the filing date and application number of the application when ascertained.

I authorize the Assignee, its successors and assigns, or anyone it may properly designate, to apply for Letters Patent or similar legal protection, in its own name if desired, in any and all foreign countries.

I represent to the Assignee, its successors and assigns, that I have not and shall not execute any writing or do any act whatsoever conflicting with this Assignment. I, my executors or administrators, will at any time upon request, without additional consideration, but at the expense of the Assignee, its successors and assigns, execute such additional writings and do such additional acts as the Assignee, its successors and assigns, may deem desirable to perfect its enjoyment of this grant, and render all assistance in making application for and obtaining, maintaining, and enforcing the Letters Patent or similar legal protection on the invention in any and all countries.


Thomas E. Eull

STATE OF MINNESOTA

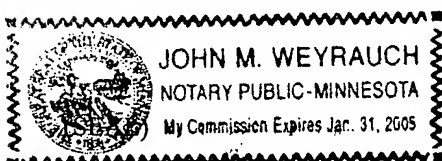
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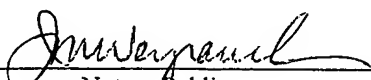
) ss.

COUNTY OF

)

Subscribed and sworn to before me, a Notary Public, this 12th day of March, 2004.




Notary Public